



REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|--------------|
| Application Number | 09/445,480 |
| Filing Date | 07/07/00 |
| First Named Inventor | Jongsma |
| Group Art Unit | 1638 |
| Examiner Name | Anne Kubelik |
| Attorney Docket Number | 250308-1020 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously Submitted. IF a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the amendment(s) reply under 37 CFR 1.116 previously filed on

ii. Other:

b. Enclosed

i. Amendment/Reply

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other:

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).

b. Other:

3. **Fees**

a. The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other:

b. Check in the amount of \$770.00 enclosed.

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|-----------------------|-----------------------------------|---------|
| Name (Print Type) | Cynthia J. Lee | Registration No. (Attorney/Agent) | 46,033 |
| Signature | <i>Cynthia J. Lee</i> | Date | 4/28/04 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|-------------------|-----------------------|------|----------|
| Name (Print/Type) | Gloria Simmons | Date | 04.28.04 |
| Signature | <i>Gloria Simmons</i> | Date | 04.28.04 |

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1455, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jongsma, et al.

Serial No.: **09/445,480**

Filed: **July 7, 2000**

Confirmation No.: **9981**

Group Art Unit: **1638**

Examiner: **Anne Kubelik**

Docket No. **250308-1020**

For: **Method For Plant Protection Against Insects Or Nematodes**

SUBMISSION UNDER 37 CFR 1.114
REPLY (WITH AMENDMENTS) TO ADVISORY ACTION

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Advisory Action mailed April 2, 2004 (Paper No. 304), after the Notice of Appeal had been filed, has been carefully considered. In response thereto, please consider the present submission in compliance with 37 CFR 1.114 and enter the following amendments in which claims 8, 10-14, and 28-33 are amended and claims 1-7, 9, 15-16, 19-26, and 37-39 are canceled without prejudice, waiver, or disclaimer. Claims 8, 10-14, 17-18, and 27-36 are now pending in the present application. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.